

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 08-11267-GAO

RICHARD ALLEN,  
Plaintiff,  
v.  
NORFOLK COUNTY, et al.,  
Defendants.

ORDER  
March 25, 2010

O'TOOLE, D.J.

This action was commenced by the plaintiff on July 21, 2008. On October 13, 2008, the defendants moved to dismiss the complaint in this action for a variety of reasons. There has been no opposition to the defendants' motion filed by or on behalf of the plaintiff. Although the plaintiff's motion to appoint counsel was granted, efforts over the past year and a half by the court staff to locate an attorney willing to volunteer to represent the plaintiff have been unsuccessful. The grant of the motion to appoint is therefore vacated.

In the order originally granting the motion, the plaintiff was explicitly advised that the appointment process could be protracted and that he should "continue to proceed pro se until such time as pro bono counsel can be secured on his behalf, if at all." Order, Docket Entry dated October 30, 2008.

After review of the defendants' motion and in the absence of any opposition, the Court grants the motion to dismiss the claims substantially for the reasons advanced in the defendants' memorandum in support of the motion, except for the argument relating to qualified immunity.

The complaint is dismissed.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge